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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/507,034	09/08/2004	Jinyo Kumaki		8790

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EXAMINER	
HOLT, DAVID L	
ART UNIT	**PAPER NUMBER**
2609	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/507,034	KUMAKI, JINYO	
	Examiner	Art Unit	
	David Holt	2609	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 September 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-7* is/are rejected.

7)☒ Claim(s) *10-13* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 September 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *10/24/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. A substitute specification in proper idiomatic English and in compliance with 37 CFR 1.52(a) and (b) is required. The substitute specification filed must be accompanied by a statement that it contains no new matter.

This application appears to be a machine translation from Japanese into English. For example, indefinite and definite articles are missing throughout the specification. Corrections similar to those submitted in the preliminary amendments to the abstract are required.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Hara et al. (JP 2000224470).

3. **Claim 1**, an image pick-up apparatus, has the following limitations, taught by Hara:

- an image pick-up device for converting an optical image of an object into an image signal and outputting the image signal (image pickup device 110, Fig. 2)
- hand movement detecting means for detecting a hand movement quantity of a user (hand shake detector 312, Fig. 2)

- image generation region setting means for setting an image generation region at the image pick-up device (readable image frame, Fig. 3)
- enlarged image generation region setting means for setting an enlarged image generation region within the image generation region (actual image frame, Fig. 3)
- and image generating means for selectively generating an the image of a predetermined size from an image signal of the image generation region or an image from the enlarged image generation region to display the selected image on the display unit (data processor 308, in conjunction with accumulator 307 and main controller 300, Fig. 2)
- wherein the image generation region setting means sets the image generation region within a predetermined region ("As shown in FIG. 3, the image pickup device 110 has an effective photosensing region illustrated by solid line which is larger by a predetermined size in both of the vertical direction and the horizontal direction than an actual image frame," column 3 lines 6-10)
- the enlarged image generation region setting means sets a set position of the enlarged image generation region at a position moved from a predetermined position in accordance with the hand movement quantity detected by the hand movement detecting means (Movement from R1 to R2 shown in Fig. 11A)
- and the image generation means generates, from the image signal of the enlarged image generation region, an image enlarged so as to take a predetermined size to display the enlarged image on the display unit (Monitor Image Display Subroutine,

Fig. 13. Since the actual image frame is smaller than the readable image frame, it would inherently be enlarged to fill the display.)

Claim 2 adds the limitation, taught by Hara, wherein when the optical image is picked up, the image generation region setting means sets the image generation region at a predetermined region ("As shown in FIG. 3, the image pickup device 110 has an effective photosensing region illustrated by solid line which is larger by a predetermined size in both of the vertical direction and the horizontal direction than an actual image frame," column 3 lines 6-10)

Claim 3 adds the following limitations, taught by Hara:

- manual focus control means for manually controlling a focal point of the image displayed on the display unit ("Focusing of the optical lens system 201 can be adjusted by manual or automatic," column 2, lines 66-67)
- wherein when the focal point is manually controlled by the manual focus control means, the image generating means generates, from an image signal of the enlarged image generation region, an image enlarged so as to take a predetermined size to display the enlarged image on the display unit (Monitor Image Display Subroutine, Fig. 13. Since the actual image frame is smaller than the readable image frame, it would inherently be enlarged to fill the display.)

Claim 4 adds the following limitations, taught by Hara:

- image control signal generating means for generating an image control signal from an image signal outputted from the image pick-up device ("Output of the photosensor 301 is inputted to an integration time calculator 302. the integration time

calculator 302 calculates a proper integration time T1 of the image pickup device 110 and the limit integration time T0," column 4, lines 11-14. This integration time is used as a control signal by the main controller 300.)

- wherein the image control signal generating means is operative so that when an enlarged image is displayed on the display unit, the image control signal generating means generates the image control signal from the image signal of the enlarged image generation region (The image shown on the display 130 is a portion of the output from the photosensor 301, so the signal output by the integration time calculator 302 is derived from the same signal of the enlarged image.)

Claim 5 adds the limitation, taught by Hara, wherein the image control signal is an exposure control signal for controlling brightness of the image ("Output of the photosensor 301 is inputted to an integration time calculator 302. the integration time calculator 302 calculates a proper integration time T1 of the image pickup device 110 and the limit integration time T0," column 4, lines 11-14. Integration time is the determining factor of image brightness.)

Claim 7 adds the limitation, taught by Hara, wherein the image control signal is a focus control signal for controlling a focal point of the image ("Focusing of the optical lens system 201 can be adjusted by manual or automatic," column 2, lines 66-67. In an automatic focus camera, output from the photosensor is used to determine the proper focal length.)

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 6, 8, and 9 rejected under 35 U.S.C. 103(a) as being unpatentable over Hara et al. (JP 2000224470), in view of Fujii et al. (US 9853401).

Claim 6 adds the limitation wherein the image control signal is a white balance control signal for controlling white balance of the image, which Hara does not teach. Fujii, who teaches an automatic white balance method, discloses an image processing unit 200 that contains a white balance circuit 207. This white balance circuit "carries out a level conversion on pixel data of each of color components R, G, and B." This white balance signal is derived from the image data collected by the CCD as shown in Figure 5. (column 6, lines 20-21)

It would have been obvious to one of ordinary skill in the art to include an image processing unit that contains a white balance circuit in the digital camera system taught by Hara, because use of white balance correcting circuitry is common practice in the art that improves image quality of the camera system providing a more realistic image.

Claim 8 adds the limitation wherein the enlarged image generation region setting means sets an area of the enlarged image generation region so that the area continuously becomes narrow with lapse of time, which is not taught by Hara. Hara specifically mentions the possible use of automatic focusing on his camera, but does

not teach the details of its operation. Fujii, who teaches an automatic focus method, discloses that during the auto-focus process an increasingly enlarged image is displayed on the camera's LCD display screen. Particularly shown in the state transition diagram of Figure 16, "at state ST1, a live view display is given on the LCD." Later, "at state ST6, in the case when the shooter specifies a zooming operation in which screen Gi shown in Fig. 15 is optically zoomed to screen G2, the subject OB is displayed on the LCD 10...Moreover, in the case when the shooter specifies an electronic zooming operation in which the screen is zoomed to screen G3 shown in Fig. 19." Thus, as the state diagram progresses, the zoom on the display increases. (column 11, line 26; column 12, lines 7-9 and 13-15)

It would have been obvious to one of ordinary skill in the art to combine the automatic focusing method taught by Fujii with the camera system taught by Hara, because the auto-focus method taught by Fujii provides "better operability in specifying factors such as focusing point." (column 2, lines 6-7)

Claim 9 adds the limitation, furthermore taught by Fujii, wherein the enlarged image generation region setting means sets an area of the enlarged image generation region so that the area discretely becomes narrow with a lapse of time when a focal point is manually controlled by the manual focus control means (Fujii, who teaches an automatic focus method, discloses that during the auto-focus process an increasingly enlarged image is displayed on the camera's LCD display screen. Particularly shown in the state transition diagram of Figure 16, "at state ST1, a live view display is given on the LCD." Later, "at state ST6, in the case when the shooter specifies a zooming

operation in which screen Gi shown in Fig. 15 is optically zoomed to screen G2, the subject OB is displayed on the LCD 10...Moreover, in the case when the shooter specifies an electronic zooming operation in which the screen is zoomed to screen G3 shown in Fig. 19." Thus, as the state diagram progresses, the zoom on the display increases. Furthermore this process allows the shooter to manually alter a focusing point using the AF cursor CR. This is a form of manually focusing the camera.)

Allowable Subject Matter

3. Claims 10-13 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Holt whose telephone number is (571) 270-3227. The examiner can normally be reached on Monday - Friday, 7:30 a.m. - 4:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Ho can be reached on (571) 272-7365. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DLH 08/06/2007

TUAN HO
PRIMARY EXAMINER